

VOTER RIGHTS AND RESPONSIBILITIES

As a Virginia Voter, you have the following rights:

- To be treated with courtesy and respect by the election officials.
- To be notified if your voter registration has been accepted or denied.
- To vote if you have registered at your current address at least 29 days before Election Day.
- To seek help from the election officials if you are unsure about anything relating to the voting process.
- To be given a demonstration of how the voting equipment works.
- To have your paper or optical scan ballot voided **before it is cast** and be given a new one if you want to change your vote.
- To change your touchscreen ballot **before it is cast**.
- To enter the full name of a write-in candidate if the candidate of your choice is not on the ballot (except in party primaries).
- To have a ballot brought to your vehicle instead of entering the polling place if you are 65 years of age or older, or if you are physically disabled.
- To have an officer of election or other person help you vote if you are physically disabled or unable to read or write (or need the ballot translated into another language). Blind voters may have any person assist them. Other voters may have anyone who is not their employer or union representative assist them.

Note: The officer of election or other person who assists you must follow your instructions, without trying to influence your vote, and shall not tell or signal how you voted on any office or question.

- To vote even if you have no identification with you at the polling place. You must sign the "Affirmation of Identity" statement before voting if you have no ID.

Exception: Voters who registered by mail for the first time in Virginia on or after January 1, 2003, and who did not mail in a copy of their ID at that time, and who fail to show one of the federally required forms of ID when voting for the first time in a federal election must vote by Provisional Ballot in that election. They may not use the "Affirmation of Identity" statement at that election.

- To vote a Provisional Ballot if your status as a qualified voter is in question, and to be present when the Electoral Board meets to determine if your ballot will be counted. See "Provisional Ballots" below.
- To bring your minor child (age 15 or younger) into the voting booth with you to observe you vote.
- To vote if you are in line by 7:00 p.m. when the polls close.
- To cast an absentee ballot if you are qualified to vote absentee.
- To register to vote absentee in Virginia if you are a U.S. Citizen overseas and your last residence in the U.S. was in Virginia, or you are a Virginia resident away in the military.
- You cannot be denied the right to vote if you are legally qualified to do so.
- Government officials must not apply standards or practices which deny or abridge the right to vote on account of race, and must not deny any individual the right to vote on account of errors or omissions in registration applications which are not material to determining whether such individual is qualified to vote. Officials must not apply different standards and procedures to voters in the same circumstances in determining whether they are qualified to vote.

As a Virginia Voter, you have the following responsibilities:

- To treat the election officials with courtesy and respect.
- To keep your voter registration information up-to-date with your current address. (If not, you **may** be eligible to vote at your prior precinct for a **limited** time under a legal exception. You must tell the election officials when and where you moved. Contact your voter registration office or the State Board of Elections if you have questions about your eligibility to vote.)
- To show your identification (ID) at the polls. If you do not have an ID with you at the polling place, you may still vote if you sign an "Affirmation of Identity" statement, depending on your registration status. See "Provisional Ballots" below.
- If party nominating primaries are being held, to tell the officials which primary you want to vote in. You may vote in either primary, but not both primaries held on the same day.
- To request assistance if you do not know how to use the voting equipment or have other questions about the voting process, or need assistance preparing your ballot because of a physical disability or inability to read or write.

- To follow the instructions on how to mark your ballot.
- To understand that once your ballot is cast, you **cannot** be given another ballot.
- To ask the election official to call the General Registrar's office **before** you leave the polling place if you have problems regarding your eligibility to vote or the casting of your ballot.

Provisional Ballots:

A Provisional Ballot is a paper or optical scan ballot which is cast separately and sealed in a green envelope. An officer of election will assist the voter in completing the information on both sides of the envelope. The voter must provide the information requested and sign the Statement of Voter.

Provisional Ballots are not counted on Election Day. Your local Electoral Board will meet the day after the election to determine whether each provisional voter was qualified to vote. The votes of qualified voters will then be counted and included in the results for your locality.

Provisional voters are allowed to be present when the Electoral Board meets to determine if their vote was valid, and can ask for a one day extension to gather evidence. The election officials will tell each provisional voter when and where the Electoral Board will meet, and provide a phone number to call to find out if their Provisional Ballot was counted.

Provisional Ballots are used:

- When the voter's name is not on the pollbook, the voter believes he is registered in that precinct, and the registrar's office cannot be contacted to verify that the voter is registered.

Note: If a voter chooses to vote a Provisional Ballot because they are at the wrong polling place and are unable or unwilling to go to the correct polling place, their vote will not be counted.

- When a voter who registered by mail on or after January 1, 2003, and did not mail in a copy of their ID at that time, fails to show one of the federally required forms of ID when voting for the first time in a federal election.
- When a voter who was sent an absentee ballot has not received or has lost the ballot, and appears at his regular polling place on election day. (This applies in localities that count absentee ballots centrally. If counted at the polling places, the voter can get a regular replacement ballot.)
- When the normal voting hours are extended by court order.

Acts of Election Fraud and Misrepresentation:

- No person may turn in or have others turn in materially false, fraudulent or fictitious voter registration applications.
- No person may provide false information about their name, address, citizenship or time of residence in a voting district in order to qualify to register or vote in any election.
- No person may intentionally register at more than one address at the same time, or vote more than once in the same election – even in different states or localities.
- No person may carry the official ballot furnished by the officers of election further than the voting booth. A person who decides not to vote after receiving the ballot must immediately return the ballot to the officers.
- No person may procure, cast or count materially false, fraudulent or fictitious ballots in any election.
- No person may offer or accept anything of value to influence anyone's vote.
- No one may use force, intimidation or threats to interfere with or prevent a voter from registering or voting.
- No one may knowingly mislead voters as to the date, time or place of voting, or their registration status.
- No one may intentionally mistranslate a ballot for a voter in order to deceive them or influence their vote.
- No one may steal or tamper with ballots, ballot containers, voting or registration equipment or records.
- No one may interfere with officers of election.

The above statements summarize U.S. and Virginia voting laws. They do not change those laws and are not legal advice.

If you have any questions about your voter registration status or about elections in your locality, please contact your local voter registration office. The phone number can be found on the State Board of Elections website at www.sbe.virginia.gov, or in the blue Government pages of the phone book.

IF YOU FEEL YOUR VOTING RIGHTS HAVE BEEN VIOLATED OR THAT YOU MAY HAVE WITNESSED AN ELECTION LAW BEING BROKEN, IMMEDIATELY contact the State Board of Elections at 1-800-552-9745 or info@sbe.virginia.gov, or use the Instant Polling Place Feedback report on the SBE website (www.sbe.virginia.gov) to contact SBE and your local voter registration office at the same time.

IF YOUR PROBLEM REQUIRES IMMEDIATE ATTENTION, DO NOT DELAY REPORTING IT. SOME ISSUES CAN ONLY BE ADDRESSED BEFORE THE POLLS CLOSE.

You may also pick up the brochure on the formal Election Day Complaint Process at your polling place or local registrar's office, or print it from the SBE website.